

Exhibit A

AFFIDAVIT

I, Christopher E. Cotten, being duly sworn, states as follows:

1. I am an Assistant United States Attorney, United States Department of Justice, and have been so employed since 1991.

2. This affidavit is submitted in support of the forfeiture of the following property (“the defendant property”): *One Hundred Eight Thousand Seven Hundred Ninety Dollars (\$108,790.00) in United States Currency.*

3. The information in this affidavit comes from information provided by law enforcement personnel, expressly named below, with firsthand knowledge of the facts set forth herein. Because this affidavit is submitted for the limited purpose of supporting a Verified Complaint of Forfeiture, I have not included each and every fact known to the government about the investigation described below.

4. On May 23, 2022, the Memphis Resident Office (MRO) of the Drug Enforcement Administration (DEA) received information from a confidential source regarding an individual, identified as ADARIOUS JAQUEZ SMITH (SMITH), who was scheduled to fly from Memphis, Tennessee to Los Angeles, California on May 23, 2022.

5. On that same day, members of the MRO, Shelby County Sheriff's Office (SCSO) and Memphis International Airport Police set up surveillance in the secure baggage loading area, at the entrance and in the concourse area of the airport.

6. SCSO Deputy Andrew Sanford utilized his canine (K-9) narcotics detector “Abby” for an open-air sniff on the outbound checked luggage which included SMITH’s and several other control bags. K-9 “Abby” gave a positive alert on the luggage belonging to SMITH.

7. Task Force Officer (TFO) Matthew Bajusz advised the surveillance team of the positive

alert on the SMITH'S luggage. The surveillance team observed SMITH inside of Lenny's Grill & Subs. SCSO Deputies Anthony Towns and Jared Bartlett approached SMITH and advised him of the nature of the encounter. SMITH gave verbal consent to search his checked bag for any contraband. Deputies Townes and Bartlett escorted SMITH to the DEA airport office after a clear bottle containing suspected promethazine and codeine was discovered (total gross weight was 4 ounces). TRO Arick Parks observed in SMITH's suitcase a large stack of twenty-dollar bills that were bound together with a small black rubber band and a Fanta drink bottle containing a thick purple liquid, believed to be promethazine and a codeine mixture with a street name "lean" or "syrup" among several pairs of shoes, socks, jeans, and shirts.

8. SMITH had two carry-on items with him: a brown and yellow Louis Vuitton backpack, and a black Louis Vuitton "duo messenger bag." TFO Kye Meadows conducted a search of the backpack and observed marijuana residue in the front zipper pouch, along with several of the same black rubber bands that secured the currency found in the checked suitcase. Inside the main body of the backpack was a gray Bank of America deposit bag that contained six stacks of one-hundred-dollar bills bound by black rubber bands. Inside of the small messenger bag, TFO Parks found three cellular phones and four stacks of currency. The handbag also contained four Bank of America checks with the business name Plug Brudaz Entertainment LLC.

9. While TFO Parks was speaking with SMITH, he said, "I know what time it is" and stated that he was riding with his co-passengers on the way to the airport and they were all smoking weed. He stated that he did not know how the Fanta bottle got in his suitcase and denied it being his. He advised that he was an entertainer and travels frequently. SMITH refused to say where the currency came from and was unable to produce any documentation of its origin. He stated he was flying to Los Angeles to do a show and was transporting the cash for the possible purchase of a

Trackhawk but could not produce any research related to the purchase of the vehicle. SMITH also advised that he has been through this process before and had \$60,000.00 seized from him at the Dallas Airport earlier in the year.

10. TFO Meadows and TFO Parks then advised SMITH that the currency was going to be seized. SMITH was given a receipt and I explained the petition process.

11. The above-named investigators know from training and experience that drug traffickers often utilize airlines to transport large sums of currency for purchases of illegal drugs in source cities. The Los Angeles, California region is known as a source area for marijuana and other illegal drugs. Investigators know that drug distributors often fly from Memphis to California for the purpose of obtaining the marijuana and other controlled substances for distribution in the Memphis area. Several seizures of marijuana and assorted controlled substances/pills have occurred at the Memphis International Airport from passengers returning from this area. Concealing currency within items inside of the traveler's luggage is a common technique used by drug traffickers to prevent the currency from being detected and seized by law enforcement.

12. On May 26, 2022, TFOs Sean Daves and Dan Jones transported the undetermined amount of currency to Loomis for an official count. The official total was \$108,790.00 in United States Currency.

13. ADARIOUS JAQUEZ SMITH was not arrested for this incident. Routine checks of law enforcement data bases revealed that SMITH was arrested by Dallas Police Department in Texas on October 11, 2020, for unlawful carrying of a weapon and possession of marijuana. SMITH was also arrested by Memphis Police Department on January 6, 2020, for weapon law violations/felony and drugs/narcotics violation/felony.

14. Based on the foregoing, the defendant currency is subject to forfeiture pursuant to 21 U.S.C. §881.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of November, 2022.

/s Christopher E. Cotten
CHRISTOPHER E. COTTEN
Assistant United States Attorney